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4 **IN THE UNITED STATES DISTRICT COURT**
5 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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7 DANNIE RAY HILLHOUSE,

8 Petitioner,

9 vs.

10 KEVIN CHAPPELL,

11 Respondent.
12 _____/

No. CIV S-03-0142-MCE-CMK

DEATH PENALTY CASE

ORDER

13 Petitioner, a state prisoner proceeding with appointed counsel, seeks a writ of
14 habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is Petitioner's motion to
15 expand the record, (Doc. 230), currently set for hearing on January 9, 2013. Petitioner's counsel
16 has filed a motion to continue the hearing (Doc. 257) as well as a notice that he is unavailable on
17 the date the court set. It appears all parties are available on January 23, 2013. Accordingly, the
18 hearing set for January 9, 2013, is reset for January 23, 2013, at 10:30 a.m.

19 IT IS SO ORDERED.
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21 DATED: January 2, 2013

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23 **CRAIG M. KELLISON**
24 UNITED STATES MAGISTRATE JUDGE
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